

REMARKS

Reconsideration and allowance in view of the following remarks are respectfully requested. Specifically, favorable consideration of pending Claims 2, 3, 5-21, 23, 24, and 26-37 is respectfully requested.

THE REJECTIONS UNDER 35 U.S.C. §103(a)

The following rejections have been made of the pending claims under 35 U.S.C. §103(a):

I. Claims 2, 3, and 5 were rejected under 35 U.S.C. §103(a) as being unpatentable over Merrick, *et al.*, (U.S. Patent 6,339,841; hereafter "Merrick");

II. Claims 6-21, 23, 24, and 26-37 were rejected under 35 U.S.C. §103(a) as being unpatentable over Merrick in view of King (U.S. Patent 6,681,263; hereafter "King").

The Applicant respectfully submits that Merrick is not an appropriate reference upon which a rejection under 35 U.S.C. §103(a) may be based. More specifically, Merrick was filed on April 16, 1999, while the subject application was filed in the U.S. Patent and Trademark Office on March 31, 1999. Thus, Merrick may not properly be characterized as being "prior art" as required for the basing a rejection on 35 U.S.C. §103(a).

Thus, for at least the reasons set forth above, it is respectfully submitted that the outstanding rejections under 35 U.S.C. §103(a) are moot, and therefore should be withdrawn.

CONCLUSION

The remaining references of record have been considered. It is respectfully submitted that they do not compensate for the deficiencies of any of the references utilized in rejecting the pending claims.

All objections and rejections having been addressed, it is respectfully submitted that the present application is now in condition for allowance. Early and forthright issuance of a Notice of Allowability is respectfully requested.

Respectfully Submitted,
Microsoft Corporation

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